

Senator Coleman, Representative Fox and respected members of the Judiciary Committee. My name is Karen Fritsche and I am here to testify about preserving funding for legal services, which must be preserved, since only they have the legal expertise and ability to do systemic advocacy needed to keep others from what I have experienced.

In January, 2011, my sister, Nancy Fritsche, was taken from Hospital for Special Care, to the ICU where she almost died. Upon her discharge, I was told that I had to sign papers for Qualidigm (hired by DSS) which said that my sister could no longer stay at the HFSC and would be sent to a lower level of care, to a nursing home. Nancy's doctor had just written that Nancy needed to be at the chronic disease hospital level of care because she has severe respiratory problems, degenerative neurological disease, celiac ataxia, swallowing problems and a compromised immune system, which would not survive MRSA (a drug resistant staph infection). In the past, when Nancy was much better, nursing homes could not handle her and had therefore abused her. Imagine now!

I called Qualidigm and asked how to file an appeal, but they said that Nancy had no rights, that there was no appeal. I called my lawyer. Neither he nor anyone in his office, nor over 20 other lawyers whom he called had expertise in Medicaid-nursing home law.

In the meantime, I had to fill out 6 nursing home applications every few weeks and was told that I had to apply to every nursing home in Connecticut, even if that meant that I had to put my sister in a facility hours from me which couldn't really meet her needs.

The Mayor of West Hartford and the Office of Protection and Advocacy, could not help. I turned to Senator Beth Bye, who helped me fill out a form for an appeal. However, Qualidigm and DSS refused to give even her any information about the standards on which patients were to be judged, saying it was proprietary information.

I called the CT Bar. All of their referrals refused this case. George Bickford, the state expert on Social Security law, who could not help me, put me in touch with Attorney Marilyn Denny, at Greater Hartford Legal Aid. She informed me that Nancy had rights, including the right to be reconsidered, to appeal, and to go to court, including that entire appeal system. Moreover, Marilyn obtained what Qualidigm called "proprietary information," the standards that they used to assess Nancy, and discovered that they were excluding consideration of all her conditions except respiratory in determining her appropriate level of care. With Marilyn's help with medical filings to Qualidigm's doctors, they determined that there are only 2 nursing homes in Connecticut that have the respiratory therapy that Nancy requires. This still ignores her multiple other needs. Marilyn and I must submit summaries of Nancy's medical records every 90 days, as must the Hospital for Special Care.

Only Greater Hartford Legal Aid had the expertise to tell me my sister's rights, to find the standards which were characterized as "proprietary information" and to obtain the contract DSS has with Qualidigm which indicates that DSS is paying Qualidigm \$400,000 a year to try to move people to a lower level of care, where they usually die.

I have spent 442 hours and over \$3,000 on expenses for this case. No one should have to go through this to keep his or her loved ones at the proper level of care. This is a systemic problem, and only Greater Hartford Legal Aid has people with the expertise to help families

fight this problem. Please fund them at the necessary level. Also, please fund a return to the old standards, the standards of Medical Necessity or Medicaid standards, which cover people with multiple handicaps. Please, also, change the law so that the sickest, the ones that are sent to an ICU, are not the ones to get caught in the system and please make it possible to get a ruling that one is at the appropriate level of care, especially if one deteriorates, as my sister has done. I think of all the people at the HFSC who have no one to help them fight this battle. They are very sick, weak and vulnerable. We are all one accident, one disease away from being like them. Dropping people to a lower level of care at which they will die, in order to save the state money, is a euphemism for state sponsored euthanasia. I don't want to live in a state where the weakest and most vulnerable have no one to help them. I hope and believe that all of you, members of this committee, don't want to either. Thank you for your time and attention.